## The Legal 500 Asia Pacific Bar 2022

### Practice area definitions



This document provides guidance as to the interpretation of The Legal 500's practice areas. For further clarification, please contact Will Tolcher, Bar editor of The Legal 500 at will.tolcher@legal500.com.

### AUSTRALIA BAR

**Commercial disputes:** This section is covers the full range of commercial disputes in both litigation and arbitration. Insolvency, company law matters and similar are included here.

**Competition:** This section covers competition/anti-trust law, including merger control and cartel/bid-rigging investigations. Criminal cartel offences should be considered as part of white-collar crime.

**Construction:** We consider the full range of disputes concerning the construction of buildings and infrastructure, including energy infrastructure. Matters concerning planning law are covered that section.

**Energy and natural resources:** This section will include a broad range of disputes relevant to the energy and natural resources industries, including over the supply of energy, and concerning the mining business.

**Environment and planning:** This includes environmental regulatory matters, and issues as to permission to construct buildings.

**Intellectual property:** This section covers all disputes across all types of IP (patents, trade marks, copyright, designs and digital forms of IP (e.g. software rights)), including matters involving registration/filing/ prosecution, and also anti-counterfeiting/anti-piracy work.

**Labour and employment:** Work may relate to collective actions, whistleblower claims, restrictive covenant disputes, pay equity disputes, workplace internal investigations and other matters, including relating to senior executives and organised labour.

**Tax:** This section covers the disputes concerning all taxes. Customs duties are considered to be taxes for this section.

**TMT:** This includes the range of disputes in technology, media and telecoms. The media prong of this includes defamation work among other matters, and the telecoms work is primarily but not exclusively focussed on telecoms regulation.

**White-collar crime:** This covers representation of individuals and corporates in the full range business and financial crime matters, spanning fraud and anticorruption offences through to more unusual offences.

#### HONG KONG BAR

This section does not include English counsel who do work on temporary admission in Hong Kong; barristers for consideration should have full membership of a Hong Kong chambers.

**Administrative and public law:** This section covers the full range of public law/judicial review matters, primarily focussing on those with some degree of commercial significance. This includes planning law and professional regulation, among other matters.

**Commercial disputes:** This section is covers the full range of commercial disputes in both litigation and arbitration. Insolvency, company law matters and similar are included here.

**Competition:** This section covers competition/anti-trust law, including merger control and cartel/bid-rigging investigations. Criminal cartel offences should be considered as part of white-collar crime.

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**Construction and property:** In addition to real estate litigation, we consider the full range of disputes concerning the construction of buildings and infrastructure, wherever it is based. Planning law work is considered in administrative and public law.

**Family and private client:** This section includes both matrimonial finance and child law, as well as trust advice concerning family wealth structures.

**Intellectual property:** This section covers all disputes across all types of IP (patents, trade marks, copyright, designs and digital forms of IP (e.g. software rights)), including matters involving registration/filing/ prosecution, and also anti-counterfeiting/anti-piracy work.

**Labour and employment:** Work may relate to collective actions, whistleblower claims, restrictive covenant disputes, pay equity disputes, workplace internal investigations and other matters, including relating to senior executives and organised labour.

**Regulatory, investigations and crime:** This section includes the full spectrum of regulatory work and internal investigations, as well as all criminal law matters.

**Shipping and aviation:** This section includes the full range of both wet and dry shipping, spanning from shipbuilding through to vessel collisions, and analogous work involving aircraft including disputes over financing.

**TMT:** This includes the range of disputes in technology, media and telecoms. The media prong of this includes defamation work among other matters, and the telecoms work is primarily but not exclusively focussed on telecoms regulation.

### SRI LANKA LEAD COUNSEL

**Lead counsel:** This section covers those handling trial advocacy as independent counsel/members of chambers outside the structure of law firms. It is not divided into further practice areas

### **ENGLISH BAR**

This section covers those who practice independently through an English barrister's chambers, and have strong practices in the Asia region, defined as the countries that are covered in our Asia-Pacific guide (roughly speaking, from Pakistan eastwards to include the Pacific Islands).

This section is not a repeat or a subset of our London Bar coverage, and runs on a separate research process. It is designed to feature counsel with strong relationships in and genuine specialism in Asia, including direct relationship with law firms and those who are primarily based in Asia, rather than those with generalised global practices that take them in to Asia, or those who do work in London for Asian clients through English solicitors. While not a factor in determining rankings, we would expect barristers able to confer with clients or carry out advocacy in Asian languages to be particularly well-placed to participate in this rankings.

We do consider those who primarily or exclusively practice as arbitrator, and those whose admission to practice is not in England and Wales, in this section so long as they meet the criterion of their primary practice organisation being the chambers – noting that this is a different definition that which applies to our UK Bar coverage.

Those who regularly practice in the courts of Australia and Hong Kong on the basis of a permanent admission are most likely to be ranked in our coverage of the independent Bars in those jurisdictions for that work, and we would encourage them to submit for those areas.

Work would typically involve litigation in the London courts for Asian clients is generally not an area of focus, although litigation in open court surrounding issues such as the enforcement of arbitral awards may be mentioned in editorial to give an insight in to counsel's practice.

**Commercial:** This section is kept intentionally broad to cover the full range of disputes of commercial significance that are not related to construction, engineering and shipping/commodities. This will include legal500.com • 2

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arbitration and litigation (in fora such as the Singapore International Commercial Court, for instance), as well as advice on regulatory investigations, for instance. For the avoidance of doubt, one area which is not covered is litigation in the Caribbean IFC jurisdictions such as the British Virgin Islands, even if this is on instruction from the Hong Kong offices of offshore firms: please submit this for our coverage of the Bar's Offshore work.

**Construction, energy and infrastructure:** This section includes the full range of construction and engineering disputes. Please note that shipbuilding is covered in shipping and commodities, and we consider FPSOs and other oil and gas extraction infrastructure that is mobile by design to be ships. Dispute regarding the sale and transport of commodities such as coal and oil via ship are likely to be better categorised in shipping and commodities as well.

**Shipping and commodities:** This section includes the full range of wet and dry shipping, spanning everything from shipbuilding to vessel collisions, as well as the full range of commodities disputes involving both "hard" and "soft" commodities.